Initial Remarks

In a phone conference between the Examiner and Applicants' attorney prior to the issuance of this action but after the Response to Restriction Requirement was filed by Applicants, believed to be in June 2005, the Examiner identified Applicants' request on page 2 of the Response to Restriction Requirement. Applicants thank the Examiner for discussing that request.

In that phone conference, the Examiner advised Applicants' attorney to file system claims (which would correspond to the pending method claims that have not been withdrawn) in the present application upon allowance of the pending method claims, and those newly submitted system claims would be reviewed by the Examiner. The Examiner advised that those corresponding system claims could be filed in an amendment under 37 CFR 1.312.

Applicants believe that the claims are allowable as identified herein and request that they be able to file an amendment with the corresponding system claims prior to the issuance of the notice of allowance so that a 312 amendment is not required. If the Examiner agrees with Applicants, Applicants request a call to Applicants attorney directing that the corresponding system claims be filed prior to issuance of the notice of allowance.

Remarks

Claims 1-109 are pending. Claims 23-109 have been withdrawn by the Examiner. Applicants renew their traverse of the restriction requirement for the reasons cited in the Response to Restriction Requirement and submit that the requisite burden does not exist solely when an additional subclass is searched and do not acquiesce that any claims are properly classified in any classes/subclasses.

The Examiner rejected claim 19 under 35 U.S.C. § 112. That claim has been amended according to the Examiner's requirements.

The Examiner rejected claims 1-22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,363,434, issued to Eytchison ("Eytchison").

Regarding claims 1-2, the Examiner found that Eytchison teaches determining a program for the requested media or program, col. 6, lines 55-58; creating a presentation with an ID, col. 6, lines 64-67; generating a reservation with ID, col. 8, lines 40-42; generating a play script with associated IDs and rules, col. 8, lines 45-51; forwarding the requested data to a routing processor and to a switch, col. 8, lines 32-35; validating the reservation and routing the request, col. 9, lines

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23-27; and generating an address for the request and streaming the media upon request or order to the required switches or path routers, col. 7-8, lines 65-7.

Eytchison does not teach the limitations of claims 1 and 2. Applicants request withdrawal of the rejections.

Regarding claim 1, claim 1 requires receiving a request for media. The Examiner did not address this limitation in the Office action and did not find that this limitation is taught in Eytchison. Therefore, Applicants submit that the claim is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches determining a program for the requested media or program. However, claim 1 requires determining a program in which the requested media is identified. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, column 6, lines 55-58 states "Particularly, user application 310 receives instructions from a user or other entities for a media service, and converts the instructions into a request that identifies the necessary resources for providing the media service." Thus, the user application converts instructions into a request, and the request identifies resources. Eytchison does not teach the claimed limitation of determining a program in which the requested media is identified. The Examiner never identifies where Eytchison teaches a program in which the media is identified. The Examiner never identifies a program at all. For these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches creating a presentation with an ID. However, the claim requires creating a presentation having a presentation identification based on the program. The Examiner did not find that the limitation was taught in Eytchison. The Examiner did not identify the claimed program or a program at all in Eytchison and did not find that Eytchison teaches creating the presentation having a presentation identification based on the program. The cited portion of Eytchison does not identify a presentation and a presentation ID as stated by the Examiner. (Column 6, lines 64-67 states "In the present embodiment, the user application 310 of FIG. 3 sends the request to the resource manager 320 in the form of an event list that indicates the source device, the destination device and the requested action.") Eytchison

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does not teach the claimed limitation. For these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches generating a reservation with ID. However, claim 1 requires generating a reservation comprising a reservation identification and the presentation. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, column 8, lines 40-42 states "Fig. 6 is a flow diagram illustrating the steps of a process 600 for reserving network resources according to an embodiment of the present invention." This excerpt does not teach a reservation comprising a reservation identification and the presentation. Eytchison does not teach the claimed limitation. For these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

Claim 1 requires generating a play script comprising the reservation identification and at least one media identification for the requested media. The Examiner found that Eytchison teaches generating a play script with associated IDs and rules at column col. 8, lines 45-51. At the cite, Eytchison states "According to the present invention, the ScheduledEvent request consists of information regarding the source device (SourceID), the destination device (DestID), the routing path between the source device and the destination device (PathID) and the start time (StartTime) and end time (EndTime) of the scheduled event." This excerpt does not teach a play script, a reservation identification, or at least one media identification for the requested media. Eytchison does not teach the claimed limitation. For these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches forwarding the requested data to a routing processor and to a switch. However, claim 1 requires receiving the reservation, the reservation identification, and the at least one media identification at a routing processor. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, column 8, lines 32-35 states "If the requested resources are available, sends control signals to the device proxies 370 and causes the devices to carry out the media service request immediately at step 540, and returns a "Granted" signal to the user application 310 at step 550." This excerpt does not teach a routing processor. This excerpt does not teach

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receiving the reservation, the reservation request, or the at least one media identification anywhere, much less at a routing processor. Eytchison does not teach the claimed limitation. For these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches validating the reservation and routing the request. However, claim 1 requires validating the reservation identification with the reservation at the routing processor and determining a media switch configured to stream media identified by the media identification. None of the underlined portion was identified by the Examiner as being taught in Eytchison. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, column 9, lines 23-27 states "The resource manager 320 of the present invention, when used in conjunction with other software processes of the home server 214 (e.g., Access Control Manager (ACM) and Media Binding Agent (MBA)), can be used for enforcing access restrictions." This excerpt does not teach the claimed limitation. This excerpt does not teach validating the reservation identification with the reservation. This excerpt does not teach validating anything at the routing processor or even teach a routing processor. This excerpt does not teach determining a media switch configured to stream media identified by the media identification. Eytchison does not teach the claimed limitation. For these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches generating an address for the request and streaming the media upon request or order to the required switches or path routers. However, claim 1 requires generating an address for the media switch not for the request. Further, claim 1 requires generating the address upon validating the reservation identification and determining the media switch. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, claim 1 requires streaming the media identified by the media identification from the media switch upon a session being initiated at the address not upon request or order. Claim 1 further requires that the media be streamed from the media switch.

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Further, column 7, line 65-column 8, line 7 states "As illustrated, at step 510, resource manager 320 receives an ExecuteNowEvent request from the user application 310. According to the present invention, the ExecuteNowEvent request consists of information regarding the source device (SourceID), the destination device (DestID) and the routing path between the source device and the destination device (PathID). The ExecuteNowEvent request may further include information such as the identification of the user making the media service request." This excerpt does not teach generating the address upon validating the reservation identification or even generating an address for a media switch or validating the reservation identification. This excerpt does not teach a session, initiating a session, or a media switch. This excerpt does not teach the claimed limitation for generating an address for the media switch upon validating the reservation identification and determining the media switch or the claimed limitation for streaming the media identified by the media identification from the media switch upon a session being initiated at the address. Eytchison does not teach the claimed limitations. For all of these reasons, Applicants submit that claim 1 is allowable and request withdrawal of the rejection.

Eytchison does not disclose, teach, or suggest the method of Applicants' claim 1. Therefore, Applicants submit that claim 1 is allowable. Withdrawal of the rejection respectfully is requested.

Regarding claim 2, the Examiner found that Eytchison teaches determining a program for the requested media or program. However, claim 2 requires identifying at least one program in which at least a portion of the media is available. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find, and Eytchison does not teach, identifying a program in which at least a portion of the media is available. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, column 6, lines 55-58 states "Particularly, user application 310 receives instructions from a user or other entities for a media service, and converts the instructions into a request that identifies the necessary resources for providing the media service." Thus, the user application converts instructions into a request, and the request identifies resources. Eytchison does not teach the claimed limitation of identifying at least one program in which at least a portion of the media is available. The Examiner never identifies where Eytchison teaches a program in which at least a portion of the media is available. The Examiner never identifies the

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claimed program at all. Eytchison does not teach the claimed limitation. For these reasons, Applicants submit that claim 2 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches creating a presentation with an ID. However, claim 2 requires processing the request with at least one program rule of the at least one program to generate a presentation identifying the at least the portion of the media. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison. The Examiner did not find that Eytchison teaches processing the request with at least one program rule of the at least one program to generate a presentation identifying the at least the portion of the media.

Further, column 6, lines 64-67 states "In the present embodiment, the user application 310 of FIG. 3 sends the request to the resource manager 320 in the form of an event list that indicates the source device, the destination device and the requested action." The cited portion of Eytchison does not identify or teach a presentation as stated by the Examiner. The cited portion of Eytchison does not identify or teach processing the request with at least one program rule, does not identify or teach a program at all, does not identify or teach processing the request with at least one program rule to generate a presentation, and does not identify or teach that the presentation identifies the at least one portion of the media. Eytchison does not teach the claimed limitation of processing the request with at least one program rule of the at least one program to generate a presentation identifying the at least the portion of the media. For these reasons, Applicants submit that claim 2 is allowable and request withdrawal of the rejection.

The Examiner found that Eytchison teaches generating a reservation with ID. However, claim 2 requires generating a reservation associated with the presentation. The claim limitation is different than what was identified by the Examiner as being taught by Eytchison. The Examiner did not find that the claimed limitation is taught in Eytchison.

Further, column 8, lines 40-42 states "Fig. 6 is a flow diagram illustrating the steps of a process 600 for reserving network resources according to an embodiment of the present invention." This excerpt does not teach generating a reservation associated with the presentation. Eytchison does not teach the claimed limitation. For these reasons, Applicants submit that claim 2 is allowable and request withdrawal of the rejection.

Claim 2 further requires identifying at least one resource to stream the presentation for reception by the viewer based on the reservation. The Examiner did not address this limitation in

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the Office action or find that this limitation is taught in Eytchison. Therefore, Applicants submit that the claim is allowable for this reason alone and request withdrawal of the rejection.

Eytchison does not disclose, teach, or suggest the method of Applicants' claim 2. Applicants submit that claim 2 is allowable. Withdrawal of the rejection is requested.

Because claims 3-22 depend directly or indirectly from claim 2 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 3-22 respectfully is requested.

Because claim 2 is believed patentable, it is not necessary to discuss patentable limitations of claims depending there from, the reference, or the rejections. The lack of a discussion of patentable limitations of those dependent claims should not be construed to mean that there are not patentable limitations in those dependent claims.

Further, all reasons for patentability of the independent and dependent claims have not necessarily been discussed herein. No implication or construction should be made therefore.

Applicants have no further remarks with regard to any references cited by the Examiner and made of record, whether or not acted upon by the Examiner in the action's rejections, even if specifically identified in the action or any other paper or written or verbal communication. No implication or construction should be drawn about any review of the same by Applicants or Applicants' attorney.

Based on the foregoing, it is submitted that the Applicants' invention as defined by the claims is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicants' attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding the response or the application.

This is intended to be a complete response to the Examiner's Office action mailed on June 30, 2005.

Respectfully Submitted,

By _____
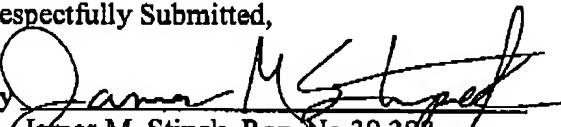
James M. Stipek, Reg. No 39,398
Polsinelli Shalton Welte Suelthaus PC
700 W. 47th Street, Suite 1000
Kansas City, MO 64112
Tel: (816) 360-4191
Fax: (816) 753-1536
Attorney for Applicant(s)

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PAGE 34/34 * RCVD AT 11/30/2005 3:25:45 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/27 * DNIS:2738300 * CSID: * DURATION (mm-ss):10-36   TOTAL P.34